

Federal agents—not on the border, inside the whole United States of America. The only people we can rely on would be voluntary State and local support.

What we learned in Alabama, my home State, we trained 60 State troopers in this program. It took far too long, in my view. The State had to pay their salaries. It cost the State of Alabama \$120,000 to be a partner with the Federal Government to enforce laws that they have authority to enforce—but to enforce laws of the Federal Government on an issue, immigration, that should be primarily a Federal responsibility.

This bill, the amendment that was offered, this border security first amendment, would provide some grant programs to enable more States to participate in this program.

It also funds—actually puts the money out to fund the fence. We have had a half dozen votes on the fence, and it has still not been built. They are building some now, they say. They are doing some. But it is still not on track to be completed, and it is not funded according to what we voted. We voted to build 700 miles of fencing. The underlying legislation, this appropriations bill, only funds 370 miles. That is not what we voted to do.

You see what I am saying? It is one thing to authorize and vote to do something. We all go back home and we are so proud: I voted to build a fence. But nobody ever comes around to provide the money to actually do it. So this bill would fund that.

On the question of our local facilities to apprehend people for serious crimes, people who are in the country illegally, who are subject to being deported as soon as they are released from jail occurs—under current law, that is not working well at all.

This bill would allow local facilities, detention facilities, to detain them for up to 14 days, to give the Federal Government the right to do that, to get them deported, as they should be, if they committed felonies in the United States.

Last September, 80 Senators voted to build 700 miles of fencing along our border. Ninety-four Senators voted for the amendment I offered for \$1.8 billion to be appropriated. It eventually got reduced in conference to \$1.2 billion to build the fence we said we were going to build. This bill, the underlying bill, calls for an additional \$1 billion toward construction of the fencing. But that is not enough. The Gregg-Graham-Kyl amendment would provide the money sufficient to do that and get us on the right track.

I will mention briefly a couple of other things in the legislation that I strongly favor. Senator GRAHAM has advocated previously that we need to have penalties for people who come back into the country illegally. I mean, how silly is it to have persons enter the country illegally, you apprehend them, you do not prosecute them, you do not

put them in jail—you could, because it is a crime—and you deport them, and here they are the next week, or even the next day coming back into the country. You have got to, at some point, if you are serious about law, have a penalty extracted.

So this bill would require penalties for people who reenter a second time, at least, in our country illegally. Certainly that is a good step, but it is not happening today. There is a deal going on among certain judges, and it has gotten to be a real problem for our immigration enforcement system. That is, local State judges, if they have an individual who is about to be deported, often will cut the sentence and not make it the required sentence, and that would obviate their deportation from the country for being convicted of a felony. This would keep judges from going back and manipulating the criminal justice system to try to prevent a result that should naturally occur in the future.

It has institutional removal program funding. This is important as a practical matter. It does not work to wait until a person has completed their jail time for a serious criminal offense, and then have the Federal Government start up a proposal to deport them. They run away; they do not show up to be deported. It is so obvious that that is happening. So we have a program, the institutional removal program, that does allow the Federal Government to take those people before they are released from jail and do the paperwork and commence the hearing so at the time of their departure, they are released into State prison for the serious offense they have committed, they would directly be deported. That only makes sense. We are doing some of that now, and this bill would provide extra money for that.

In every aspect of the legislation, it is a step in the right direction. It does not get us there if the executive branch or if the Government does not want to enforce these laws. It does not get us there if the House or conferees fail to put this money in the bill. There are still a lot of loopholes. We should not pat ourselves on the back. But these are all critical steps toward creating a lawful immigration system. If we can do that and regain some confidence among the American people, we will be able to talk about many more of the issues in favor of that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the pending amendment be set aside and that amendment No. 2392, the Isakson-Chambliss amendment, be called forward.

The PRESIDING OFFICER. Is there objection?

The Senator from Washington.

Mrs. MURRAY. Mr. President, I regretfully inform the Senator at this point we are not setting aside amend-

ments until we have disposed of or determined how we are going to dispose of some of the other amendments that are in front of us. I would be happy to let the Senator speak on the amendment at this time. We are going to object until we have a way to proceed forward with the amendments that have been offered.

The PRESIDING OFFICER. Objection is heard.

Mr. ISAKSON. Mr. President, I thank the Senator from Washington. I ask unanimous consent—I am going to speak briefly—Senator CHAMBLISS be allowed to speak immediately after me.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2392

Mr. ISAKSON. Mr. President, I associate myself with the remarks that I have been able to hear this morning by Senator GREGG, Senator SESSIONS, Senator GRAHAM, and others. I rise to bring forward—I cannot bring it forward because they will not let me call it up, but at least talk about amendment 2392 offered by myself and Senator CHAMBLISS from Georgia. To that end, I ask unanimous consent to have printed in the RECORD our joint letters—Senator CHAMBLISS and my joint letters—of June 12 and July 12.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. ISAKSON. Mr. President, the reason I entered these two letters is they reflect precisely what the amendment does. The amendment offered is a sense-of-the-Senate amendment. It is the sense of the Senate that expresses the following: This is a team sport. It takes the executive and the legislative branch to get our Nation secured, our homeland security, and in this case, our borders secured. The letters I submitted by Senator CHAMBLISS and myself are letters to the President of the United States—one submitted during the debate on immigration, one submitted 2 weeks following the debate on immigration—asking the President of the United States to send an emergency supplemental to the floor of the House and Senate to fund all of the border security measures we have passed, such as the fence bill, which we authorized last year, and the five key provisions of the immigration bill that were lost that deal with border security. That is Border Patrol agents; the unmanned aerial vehicles and ground positioning radar; it is detention facilities; and, most importantly, most importantly, it is the biometrical secure ID which gives you the redundancy to see to it that we finally stop the forged document business, close the border, remove the attractive nuisance to come to America, and motivate people to go back and come in the right way and the legal way.

Some may say, well, an emergency supplemental is not the way to go. I would submit it is the only way to go. If anybody doesn't think this is an